

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO) and the Senator from Kansas (Mr. MORAN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 46, as follows:

[Rollcall Vote No. 392 Ex.]

YEAS—52

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Sinema
Cardin	Lujan	Smith
Carper	Manchin	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	
Heinrich	Portman	

NAYS—46

Barrasso	Grassley	Romney
Blackburn	Hagerty	Rounds
Blunt	Hawley	Rubio
Boozman	Hoeven	Sasse
Braun	Hyde-Smith	Scott (FL)
Burr	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Murkowski	Young
Fischer	Paul	
Graham	Risch	

NOT VOTING—2

Crapo Moran

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Jonathan Eugene Meyer, of Ohio, to be General Counsel, Department of Homeland Security.

ORDER OF PROCEDURE

Mr. WYDEN. Madam President, I ask unanimous consent that notwithstanding rule XXII, all postcloture time on executive Calendar Nos. 264 and 159 be considered expired at 4:45 p.m. today; that the vote on confirmation of the Anderson nomination occur at 4:45 p.m. today; and that the vote on confirmation of the Meyer nomination occur at a time to be determined by the majority leader, following consultation with the Republican leader on Thursday, September 30.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The senior Senator from Oregon.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. WYDEN. Madam President, in a few minutes, I will put forward the unanimous consent request that the Senate take up and approve a highly qualified and unquestionably noncontroversial nominee. I am going to take just a few minutes to talk about Jonathan Davidson, nominated to be the next Deputy Under Secretary for Legislative Affairs at the Treasury Department.

To do this briefly, there are a few key points to make about this important nomination. To start, Jon isn't just a person off the street being nominated for a new job in the Biden administration. In fact, my guess is, virtually every Member of this body, Democrats and Republicans alike, have worked with Jon at one point or another.

From 2011 until he was nominated this past spring, Jon served as chief of staff to another Finance Committee colleague, Senator BENNET. He is known as somebody who is honest, who is hardworking, and who is committed, most importantly, to bringing people together to tackle big challenges, and he has been doing it a long time.

Before his work with Senator BENNET, Jon served as chief of staff to Senator Paul Sarbanes. He spent time in the office of Representative JOHN SARBANES, and he was later chief counsel to our friend and colleague, Senator MARK WARNER. You don't have to take it from me that Jon knows his way around the Congress. All of those Members trusted Jon as a right-hand man.

The second issue: I can't find any controversy with respect to his nomination. He cleared the Senate's Finance Committee on a 28-to-0 vote.

Let me repeat that: 28-to-0 vote.

In fact, the Finance Committee reported out several nominees this Congress without any Republican opposition, none at all. Normally, that would be enough to pave the way for prompt and full Senate consideration, but I think we all understand these are not normal times here in the U.S. Senate.

It used to be the case, at the end of July, the two sides would come together and look to pass a package of noncontroversial nominees by unanimous consent. My Finance Committee team thought this would be the case this year. Unfortunately, that did not take place. Senate Republicans were just in no mood to clear even the most uncontroversial nominees.

This is an extraordinary level of obstruction beyond what you saw when the previous administration was staffing up. For example, let's take the previous two nominees for the same position Jon is up for.

Drew Maloney was the first Trump nominee for Legislative Affairs at Treasury. The Finance Committee held a hearing on this nomination on June 7, 2017. The committee voted on his nomination a week later, favorably reported by a vote of 25 to 1. A few weeks

after that, the full Senate passed his nomination by unanimous consent, along with several other nominations for roles in the Trump Treasury Department. That is how the process generally unfolds.

Two years later, Brian McGuire was nominated to replace Mr. Maloney. His hearing was held July 24, 2019. The Finance Committee approved his nomination a week later. He was confirmed to serve in the Trump administration on September 24.

In both cases, these two nominees, colleagues, were confirmed 2 months after their hearings.

Jon Davidson has been waiting 4 months since his hearing on May 25—nearly twice as long as Trump nominees waited for the same job.

I think we all understand that it is essential to have qualified individuals heading up offices of Legislative Affairs. They help to make sure administrations follow the laws, just as the Senate passes as intended. They help Members write legislation. They make sure that all Members get responses to their questions with respect to oversight.

Setting everything else aside, you would think Senate Republicans would be especially interested now in making sure the Senate can perform that essential oversight. I myself am looking for some straight answers to a number of oversight requests I had posed to the Treasury Department, and having Jon installed in his new role as Treasury would sure help to move that process along. Federal Agencies and the Congress need these legislative point guards in order for Agencies to run as smoothly as possible.

This isn't a policy position, nor is Jon Davidson a nominee who raises any major concern from anybody. I have yet to hear even anything resembling a substantive reason from Senate Republicans for opposing a nominee like Jon Davidson, who got a 28-to-nothing vote out of committee to lead this office. There is no reason for delaying any longer.

Therefore, I ask unanimous consent that the Senate proceed to the following nomination: Calendar No. 168, Jonathan Davidson, to be Deputy Under Secretary of the Treasury; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Is there objection?

Mr. CRUZ. Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Reserving the right to object. Mr. President, this continues a discussion we have been having for days and indeed weeks and indeed months. Joe Biden is being flagrantly